



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029



JUN 19 2012

CERTIFIED MAIL
RETURN RECEIPT REQUESTED AND

Donald B. Kelly, Inc.
Shawn Kelly, President
2008 Federal Street
Camden, NJ 08105-1820

**Re: Overdue Required Submission of Information
Metro Container Site
Trainer, Delaware County, Pennsylvania**

Dear Mr. Kelly:

On March 9, 2012, the U.S. Environmental Protection Agency ("EPA") issued a letter (copy of which is enclosed) to Donald B. Kelly, Inc. ("Kelly" or "you") requiring the provision of information and/or documents relating to the above-referenced Site, pursuant to Section 104(e)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, ("CERCLA"), 42 U.S.C. § 9604(e)(2) ("Information Request").

Kelly's response was due within **forty-five (45) calendar days** of its receipt of the Information Request. The enclosed copy of the Certified Mail Receipt indicates that you received the Information Request on March 27, 2012. In your conversation of March 29, 2012 with Kenneth I. Rose III of EPA, you indicated that you would send a letter providing a history of Kelly and affirming that Kelly is no longer in operation and that no records exist from the period outlined in the March 9, 2012 letter; EPA has yet to receive such a letter. The letter should be notarized.

Kelly must provide the aforementioned letter and/or all requested documents as well as a separate and complete narrative response to each and every question contained in EPA's March 9, 2012 Information Request within **fourteen (14) calendar days** of your receipt of this letter. This fourteen day period, however, is not to be construed as an extension of the original deadline and does not excuse any violation for failure to respond to the initial Information Request.

EPA has both administrative and judicial alternatives to compel Kelly to answer its March 9, 2012 Information Request. Please provide the requested information within fourteen (14) calendar days of your receipt of this letter to avoid such action.

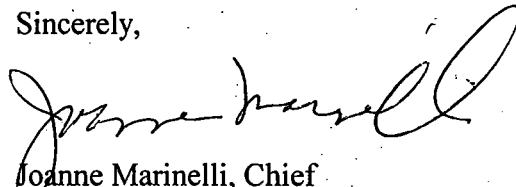
All documents and information should be submitted to:

Mr. Kenneth I. Rose III (3HS62)
U.S. Environmental Protection Agency
1650 Arch Street
Philadelphia, PA 19103

If you have any questions concerning this matter, please contact Mr. Rose at (215) 814-3147 or have your attorney contact Andrew Goldman, at (215) 814-2487.

This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501, et seq.

Sincerely,



Joanne Marinelli, Chief
Cost Recovery Branch

Enclosures

cc: Andrew Goldman (3RC41)
Kenneth I. Rose III (3HS62)
PADEP

7003 1680 0005 4383 8651

U.S. Postal Service™

CERTIFIED MAIL RECEIPT*(Domestic Mail Only, No Insurance Coverage Provided)*For delivery information visit our website at www.usps.com**OFFICIAL USE**

Postage

\$

Certified Fee

Return Receipt Fee
(Endorsement Required)Restricted Delivery Fee
(Endorsement Required)JUN 19 2012
Postmark
Here

Total Price

Donald B. Kelly, Inc.
Shawn Kelly, President2008 Federal Street
Camden, NJ 08105-1820

Sent To

Street, Apt.
or PO Box

City, State

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may **ONLY** be combined with First-Class Mail® or Priority Mail®.
- Certified Mail is *not* available for any class of international mail.
- **NO INSURANCE COVERAGE IS PROVIDED** with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.
Internet access to delivery information is not available on mail addressed to APOs and FPOs.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Donald B. Kelly, Inc.
Shawn Kelly, President
2008 Federal Street
Camden, NJ 08105-1820

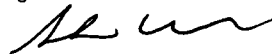
2. Article Number

(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X



☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒

Certified Mail

☐

Express Mail

☐

Registered

☒

Return Receipt for Merchandise

☐

Insured Mail

☐

C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7003 1680 0005 4383 8651

UNITED STATES POSTAL SERVICE



First-Class
Postage &
USPS
Permit No

- Sender: Please print your name, address, and ZIP+4 in this box

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY**

REGION III

1650 ARCH STREET

MAIL CODE

PHILADELPHIA, PA 19103-2029

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE \$300

METRO

*KS
34562*

